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Catherine II and the Jews: The Origins of the Pale of Settlement

by Richard Pipes

To a layman like myself, Jewish historiography seems to suffer from a higher degree of ethnocentricity than most. Jewish historians traverse the two millennia of the diaspora carrying barometers which they frequently consult to determine the atmospheric pressure: are times good for the Jews or are they bad? They rarely bother to enquire into the Gentile environment within which Jewish history develops. As a result, they fail to take into account that Gentile society normally concentrates on its own affairs so that the treatment which it metes out to the Jews in its midst, whether favourable or unfavourable, is a byproduct of concerns that have little if anything to do with the Jews themselves. This unwillingness to perceive Gentile society on its own terms strikes me as a major shortcoming of the Jewish psyche. It accounts not only for a great deal of superficial historiography, but, alas, also for much of the tragedy that has befallen Jews.

A historian of Russia who takes the trouble to look into the standard accounts of Russian Jewry — Dubnow's,¹ Greenberg's,² or Baron's³ — is immediately struck that each of these authorities treats Jewish history as self-contained, i.e. by and large outside the context of Russian laws and institutions. They deal with policies which happened to affect the entire population of the Empire as if they were intended exclusively for Jews, and at the same time minimize or pass over in silence policies which — if not in themselves then in the general context of Russia at that time — were sometimes very generous towards Jews. Even Yuly Gessen,⁴ far and away the best authority on the subject, is guilty of such practices: for although he knew and well understood the implications of Russian policies toward the Jews, like his colleagues he preferred to interpret them in the "good-for Jews, bad-for Jews" tradition. Paradoxically, in order to obtain a rounded picture of the

subject it is sometimes necessary to seek the assistance of overtly antisemitic authors: they, zealous to show that Jews had brought all their misfortunes on themselves, go out of their way to emphasize what Jewish historians ignore.⁵

The purpose of this paper is to reassemble and at the same time reinterpret the principal facts bearing on the Jewish policies of Catherine the Great in whose reign Russia encountered for the first time a Jewish "problem" in the shape of over half a million Jews acquired in the partitions of Poland. It hopes to show that by standards of the time, Russian policies were remarkably enlightened and that in some respects Russia indeed pioneered the emancipation of Jews.

* * *

Catherine ascended the throne at the end of June, 1762, after a coup which removed her husband, Peter III. Despite the ease with which the coup had been engineered, her position was very insecure, especially at first. Catherine was both an usurper and a foreigner, and as such always ran the risk of being displaced in favour of someone else, such as her son, Paul. She was therefore especially prone to curry favour with groups on whose friendship the Russian crown had traditionally relied: the nobility and the church.

Historians make much of Catherine's personal feelings towards Jews, although, given the political constraints under which she had to operate, it is doubtful whether these played a decisive role. Her attitudes reflected the ambivalence typical of the Enlightenment under whose influence she had grown up. She viewed Jews as a superstitious race, held in the grip of an obscurantist religion, rather unscrupulous and perhaps greedier than most. Some of the philosophers whom she admired (such as Voltaire and d'Alembert) were vicious antisemites and their example in some measure influenced her. Yet, at the same time, Catherine had a profound distaste for the traditional church-sponsored antisemitism, which was largely responsible for the disabilities under which European Jews were then living and which, in turn, accounted for the flaws in their national character, as she perceived them. She also had a healthy respect for Jewish commercial abilities and wished to avail herself of them. In sum, she did not much care for Jews as they were but believed that given the right opportunities they could be made into useful members of society. She wanted to use the unlimited powers vested in the Russian crown to provide Jews with these opportunities; and though she was largely thwarted, she would have had every right to claim the honour of being the first sovereign in Europe to extend to the Jews equality with her Christian subjects.

Initially, her principal obstacle was the Orthodox church, traditionally the most antisemitic of all the branches of Christianity. In the 1760s the Orthodox establishment in Russia no longer represented much of a political force, having lost its most zealous following as a result of the Schism and having come under bureaucratic control of the state. Even so, Catherine could not easily dispense with its backing, because the church exercised influence over a populace instinctively suspicious of a foreign-born woman on the throne of the tsars. Peter III, Catherine's husband, had been openly scornful of Orthodoxy. He ignored its rituals, ordered all ikons save those of Christ and Mary removed from churches, told priests to get rid of their beards, and even contemplated building a Protestant chapel on palace grounds. Worst of all, early in 1762 he had all monastic and church lands confiscated on behalf

of the state. Aware of the turmoil which these actions had produced among the masses, Catherine decided to turn them to her own account. She assumed the air of a devout Christian, praying while her husband caroused and making on every occasion a great display of piety. How much importance she attached to clerical support may be gauged from the Manifesto which announced her assumption of the crown: here defence of Orthodoxy was listed at the head of the reasons justifying the *coup d'état*.⁶

Given the hostility of the church toward the Jews, Catherine had every reason to wish not to have to confront this issue until she had a more secure grip on power. But as bad luck would have it, the matter came up for discussion in her first week as sovereign. The brutal expulsion of Jews from the Russian Empire, carried out in 1742-43 on the orders of Empress Elizabeth, had caused unhappiness among many people besides its victims. The western provinces had grown accustomed to the presence of Jewish businessmen. The port city of Riga, for example, complained that after the expulsion of Jews it began to lose trade to other Baltic cities, while the Ukrainian Elders asked to have Jews allowed to travel into Little Russia for business purposes.⁷ Elizabeth had firmly rejected appeals of this kind, on one occasion declaring she had no desire "to profit from the enemies of Christ". Immediately after her death in 1761, new petitions calling for a revocation of the 1742 edict began to reach the Senate. Peter was overthrown before he could act on them. The question came up in the Senate at the beginning of July 1762, at one of the first sessions which Catherine attended in her capacity as sovereign. This is how (speaking of herself in the third person), Catherine describes what happened:

Insofar as in the Senate all matters (save for the most urgent ones) are taken up in accord with an agenda, it was by mischance that at this meeting the project to allow Jews to enter Russia happened to stand at the head of the list. . . Inhibited by circumstances from giving approval to this proposal, unanimously recognized as useful [by the Senators], Catherine was extricated from her predicament by the Senator, Prince [I. V.] Odoevsky, who rose and said: "Would it not please Her Majesty, before making up Her mind, to see what Empress Elizabeth had written in her own hand on the margin of a similar proposal?" Catherine had the records brought to her and found that Elizabeth, inspired by devotion, had written on the margin: "I do not desire any profit from the enemies of Jesus Christ." Less than eight days had elapsed since Catherine had ascended the throne; she had been raised to it to defend the Orthodox faith. She confronted a devout nation and a clergy which had not yet been given back its properties and which stood in need of the most elementary things as a result of this ill-conceived move. As always after such great events, spirits were in great turmoil; to make a debut with a project of this nature was not the way to calm them; to declare it harmful was impossible. Catherine simply turned to the Procurator General who, having counted the votes, approached her to learn of her decision, and said: "I wish this matter to be deferred to another time." And thus so often it is not enough to be enlightened, to have the best of intentions and the power to carry them out. Yet how frequently bold judgements are pronounced on the subject of wise conduct . . .⁸

The question whether or not Jews were to be allowed into Russia, so casually postponed, was not taken up again in Catherine's reign.

For lack of any instruction to the contrary, Elizabeth's exclusion edict of 1742 remained in force. On October 14 1762, directing the Senate to draft an invitation to all foreigners who might wish to settle in Russia, Catherine asked that Jews be excluded from its provisions.⁹ This order was promulgated in the oft-cited decree of December 4 1762 (*Full Collection of Laws* or PSZ, No. 11,720). Curiously, however, the phrase "except for Jews" (*krome zhidov*), which appears in the title of this edict, does not recur in the text.

Catherine had made her obeisance to the church; but she was not to be prevented by the church from initiating such measures concerning Jews which she thought of immediate benefit to her country. During the next two years she carried out surreptitiously policies which clearly violated the spirit and letter of her own ordinances and opened the Empire's doors, ever so slightly, to a few Jews.

One of Catherine's perpetual concerns was to populate the territories located along the northern shores of the Black Sea which Elizabeth had taken from the Turks in the 1730s but left unattended. This area, named "New Russia", was at the time quite deserted. Since Catherine had grandiose visions of establishing Russia as a dominant Black Sea power, colonizing this area became for her something of an obsession. There exists strong evidence that to further this goal, she entered in 1763 or 1764 into a conspiracy with Jewish entrepreneurs whom she commissioned to lure Polish and other European Jews into New Russia, in return for informal pledges of entry into Riga.¹⁰

The earliest document bearing on this affair is a secret message dispatched by Catherine in May 1764 to the Riga Governor General, instructing him to permit certain Jews to settle in his city and from there even to proceed to St. Petersburg, without questioning them about their religion.¹¹ Two months later in a personal note to Prince Dashkov, an officer in charge of armies on the Polish-Lithuanian border, Catherine wrote:

Polish and other Jews (*zhidy*) who shall appear before him and state that they wish to go to New Russia to settle there are to be taken under his protection and issued passports to the Russian frontier [cities] of Riga and Smolensk.¹²

As a result of these arrangements, executed in utmost secrecy and uncovered by historians much later, Jews began in small numbers to re-enter Russia. New Russia did not hold much attraction for them, but Riga most definitely did, and a number of them remained there instead of proceeding south. By 1780 there were enough Jews in Riga to open a synagogue, even though all of its members were on "temporary" permits and forbidden from enrolling in the city's merchant registers. Their presence in this area was legalized only in 1785 by a decree (PSZ, No. 16,146) which allowed them to join the ranks of the merchant class at Shlok, a city twenty-six miles from Riga. In New Russia, Jewish presence was first formally acknowledged on November 16 1769 (PSZ, No. 13,383) in an edict concerning prisoners of diverse nationalities captured by the Russian armies in Wallachia. The decree stated that those prisoners were to be given leave to settle anywhere in the Empire, again with the exception of the Jews among them; the latter were to be confined to New Russia. At this time three or four Jews were permitted quietly to establish themselves in St. Petersburg, at the residence of Catherine's confessor. In an exchange with Diderot (1773), Catherine said of them: "ils sont tolérés malgré la loi; on fait semblant d'ignorer qu'ils y sont."¹³

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The first partition of Poland, in 1772, made it impossible to continue this kind of *laissez-faire* Jewish policy. In the Belorussian lands taken from Poland, almost one-tenth of the population — by best estimates, some 100,000 inhabitants — were Jews. Most of them lived in villages and small towns where they occupied themselves keeping shop, peddling, in artisanship and a variety of trades connected with alcoholic beverages, the rights to which they leased from the local gentry. Their general situation at the end of the eighteenth century was extremely difficult, for Polish Jews had traditionally relied on the protection of the crown, and as the Polish crown declined they were left to the mercies of the local nobility, clergy, and petty bourgeoisie. Even so, they managed to preserve extensive administrative, judiciary, and fiscal self-government institutionalized in the *kahal*.

On entering Belorussia, the Russian authorities issued a proclamation, called "Plakat" (dated August 16 1772; PSZ, No. 13,850), which promised the population a very liberal regime. Their religion was to be inviolate, and all groups, without exception, were to retain whatever rights, freedoms, and privileges they had had under Polish rule: "from this day onward, every estate . . . of the incorporated territories shall enjoy throughout the entire expanse of the Russian Empire the advantages appropriate to it." To put at ease the Jewish population, which in view of Russia's previous Jewish policies had every reason to expect the worst, the *Plakat* devoted to them a separate section. Here it was stated that the Jews of Belorussia would be accorded their traditional communal rights as well as title to their properties. Gessen scornfully dismisses the *Plakat* as "having given little to Belorussian Jewry",¹⁴ but it is impossible to agree with this judgement. The *Plakat* in effect admitted Belorussian Jews into Russian citizenship, which it was not at all certain that it would do: Dubnow is no doubt closer to the mark when he says that under the same circumstances Elizabeth would have expelled all the Jews from Belorussia.¹⁵ Secondly, by recognizing their religious rights, self-government, and title to property it assured Jews of something that they have been deprived of before and since in many countries. As if to emphasize that in the eyes of the Imperial government Jews constituted an ordinary religious minority rather than a special nation-caste, the *Plakat* referred to them not as *zhidy* but as *evrei*, i.e. Hebrews. This usage subsequently became standardized in official pronouncements, with the effect that *zhidy* in Russian acquired an offensive connotation. One could have read in the *Plakat's* statements about the "entire expanse of the Russian Empire" a promise that Jews, like the other inhabitants of Belorussia, would enjoy their estate rights in any region of the realm; but this was not explicitly asserted and probably not intended, being best explained by the careless editing characteristic of Russian decrees of that time.

The first Viceroy appointed to administer Belorussia was Field Marshal, Count Zakhar Chernyshev, a cosmopolitan gentleman who applied himself conscientiously to the improvement of the area.¹⁶ The region was divided into two provinces (*gubernii*), Mogilev (later renamed Vitebsk) and Polotsk. To ensure a smooth transition from Polish to Russian rule, Chernyshev advised St. Petersburg to retain Polish administrative practices in regard to the Jews. This advice was followed in the first ordinance concerning the administration of Belorussia, issued on September 13 1772 (PSZ, No. 13,865). Like the rest of the tax-paying population of the Empire, the Jews were now attached to communal organizations — in their case, the *kahals* — which were to assume collective responsibility for the community's payment of tax obligations. The

soul tax for Jews was set at 1 ruble, half-way between what Russian peasants and Russian merchants were paying at that time (70 kopecks and 1 ruble 20 kopecks, respectively).¹⁷ The *kahal* was also entrusted with authority over the movement of the Jewish population by being given the right to issue passports for internal travel. The September 13 ordinance carried one other provision bearing indirectly on Jews to which not much attention was paid at the time but which in the long run was to cause them a great deal of trouble: the retail sale of alcoholic beverages in the towns of Belorussia was to pass into the hands of the city magistrates.

Surveying the situation of Jews in the first decade of Catherine's reign, one must conclude that despite the formal adherence of the Empress to the anti-Jewish sentiments of her predecessors, notably Elizabeth, the whole drift of her policies was friendly to Jews. The Russian monarchy gave evidence that it was more interested in profits than in religion, and regarded Jews without the customary Russian fanaticism. At this juncture the Jews of Belorussia had every reason to congratulate themselves on having passed from the anarchy of a disintegrating Poland under the firm and enlightened rule of Catherine.

* * *

Catherine had never been pleased with the condition of the Russian provinces. She thought the provincial administration overly centralized in St. Petersburg and insufficiently responsive to local needs. She also was appalled by the state of the cities: far too few in number, lacking in a true bourgeoisie, and generally misgoverned. But it took the peasant uprising under Emelyan Pugachev (1773-4) to have her do something about this situation. The ease with which the rebels took over the southeastern regions because of the inability of the thinly scattered garrison troops to offer resistance convinced her that she could no longer delay a thoroughgoing reform of the provincial administration. Between 1775 and 1785 she introduced a series of fundamental reforms, which profoundly, and, on the whole, adversely, affected the condition of Russian Jewry.

An early step toward provincial reform was the edict of March 17 1775 (PSZ, No. 14,275) which divided the entire trading and manufacturing population into estates and which later legislation formed into "municipal communities" (*gorodskiye obshchestva*). Members disposing of capital in excess of 500 rubles were enrolled in the ranks of merchants (*kuptsy*) of one of three guilds: to belong to the first guild one had to possess capital worth at least 10,000 rubles, to the second, between 1,000 and 10,000 rubles, and to the third between 500 and 1,000. All three guilds carried exemptions from the payment of the soul tax and the collective responsibility for other taxpayers in their community. Merchants paid annually a tax of one percent on their declared capital. Traders and artisans unable to meet the 500 ruble standard, were classified as townsmen (*meshchane*) and continued to pay the soul tax. Movement up and down the social ladder — between townsmen and merchants of the first guild — was free of any formalities and depended solely on the size of one's capital. Both estates enjoyed the right to pursue trade and manufacture, but this "right" was rendered fairly meaningless under Catherine in view of the fact that she gradually extended it to landlords and peasants as well.

In the latter part of 1775, Catherine began to reform municipal institutions. To decentralize the local apparatus, she separated from the general organs of administration institutions whose primary function

was to be the dispensation of justice to merchants and townsmen. These were called municipal magistrates (*gorodovye magistraty*) in localities which were officially designated as cities (*goroda*), and *ratushi* in other urban settlements. They were comprised of a mayor (*burgomaster*) and from two to four councillors (*ratmany*), all elected by their constituents. Later on, these institutions were given additional responsibilities, including collection of taxes from merchants and townsmen. In the traditional Russian manner, these officials, although elected, were considered members of the imperial bureaucracy.

In connection with provincial reforms, the question arose what to do with the Jews of Belorussia. Two options were open: 1. to leave them as they were, attached to the *kahals* and rendering the soul tax; and 2. to regard them as ordinary subjects whose rights and tax responsibilities would be set according to their personal occupational and financial status. In the former event they would be treated as a nation-caste, as had been the case under Polish rule, in the latter as a religious minority. Each solution had its advantages. Under the first, things went on as before and no innovations were required likely to cause trouble with the Christian majority of Belorussia. Under the second, Jews would receive an opportunity to emancipate themselves from the control of their "fanatical" religious leaders and gradually to merge with society at large. With little hesitation, Catherine settled on the second alternative: she decreed at the outset of the provincial reforms that Jews were to be administratively treated on equal terms with Christians, i.e., given all the rights to which their occupation and capital entitled them. (On October 17 1776 (PSZ, No. 14,522), an exception was made for Jews who converted to Orthodoxy: they were to be exempt from the soul tax and could choose any vocation or place of residence they wished.)

The Jews too faced problems in connection with these reforms. On the one hand, most of them were eager to preserve the traditional authority of the *kahal* which enabled them better to live in accord with Jewish law, and in some measure shielded them from landlords and officials. On the other hand, they did not want to miss out on the benefits granted urban inhabitants under the new legislation: exemption from the soul tax and responsibility for the tax arrears of their community; access to elective municipal offices; exemption from recruit obligations (for merchants); and the prospect of being allowed to move into the cities of inner Russia. The issue was further complicated by the feud between rabbinical and *hassidic* parties which divided Jewish communities at the time; harassed by the *kahal* administration, the *hassids* were not averse to seeing the power of the *kahals* reduced.

In late 1778 or early 1779, Jewish communities petitioned to have their members admitted to the ranks of the merchant estate then in the process of formation in Belorussia. Catherine promptly gave her assent. In an instruction sent to Count Chernyshev on January 7 1780 (PSZ, No. 14,962) she ordered that qualified Jews in his area be allowed to join the ranks of the merchant estate and to meet their tax obligations in accord with the terms of the law of 17 March 1775. No mention was made in this instruction of Jews joining merchant guilds outside of Belorussia.

The advantages of acquiring the title of a *kupets* must have outweighed the disadvantages, for after Catherine had rendered her decision Jews in large numbers enrolled in the ranks of the merchant guilds: in Mogilev province 10 per cent of all the Jews, in Polotsk province, 6½ per cent.¹⁸ The remainder of the Jewish population was a few years later automatically inscribed in the ranks of townsmen, apparently

without a special decree being issued to this effect. Thus in the casual manner characteristic of Russian legislative practice, Jews were put into a social mould in which they were to remain encased until 1917: the Jewish nation became fully absorbed into the middle estate, with all Jews, including the majority who resided in the villages, being attached to the cities.

These developments had an immediate effect on the institutions of Jewish self-government. Every Belorussian Jew who inscribed himself in the merchant class — and that was one head of household in thirteen — slipped out from the fiscal and judiciary authority of the *kahal*. Henceforth he paid his taxes to and was judged by the urban magistrate or *ratusha*, just as were his Christian neighbours. The townsmen continued to pay the soul tax to the *kahal*, but in other respects, including the judiciary, they, too, came under the municipal organs. All this brought about disarray in Jewish communal life, whose leaders suddenly lost most of their traditional authority. No less confused were the Christians of Belorussia, who had been ordered to treat the despised Jews as equals. In response to queries from perplexed administrators concerning taxation of Jews, St. Petersburg on May 2 1783 gave an unequivocal answer:

Jews [evrei] living in the Belorussian provinces are to be taxed according to the estate in which they inscribe themselves, without distinction of origin and religion (PSZ, No. 15,724, Pt. III, Art. 6). The formula "without distinction of origin and religion" (*bez razlichiya roda i zakona*) became the basis for the treatment of Jews throughout the decade of the 1780s, the most enlightened in the history of tsarist Russia's treatment of Jewry.

That legal and social equality was not an unmixed blessing became evident to Jews in 1782-3 when they were subjected to two laws bearing on the merchants and townsmen of the Empire. On July 2 1782 a decree was issued regarding the Russian merchants and townsmen of the province Olonetsk, which stated that they should not be permitted to reside in villages, so as not to enrich themselves at the peasants' expense, but were to be moved into the cities (PSZ, No. 15,459). Half a year later, this law was extended to cover the entire Empire. Toward the end of 1782, members of urban communities in Russia were forbidden to deal in spirits, commerce in which was declared the exclusive privilege of the government and the nobility. Both these measures were intended to safeguard the interests of the landed estate, so dear to the heart of Catherine, but they struck unintentionally at the basis of Jewish economic life. For although by now all the Jews were enrolled in urban communities, most of them continued to reside in the countryside, where many made a living leasing from nobles the right to distill and sell alcoholic beverages. As Gessen justly observes, measures which affected only some Christians in Russia affected all of Russia's Jews.¹⁹

Had Belorussia remained in the charge of Chernyshev it is possible that these directives would not have been implemented, except in a token manner. But in February 1782, Chernyshev was recalled to become Commander in Chief of Moscow. His place was taken by P. G. Passek, a fop and a fool, who sought to make up for his habitual indolence by sporadic bursts of zeal. Following an imperial decree of May 3 1783, he forbade Jews on his territories to distill or sell liquor, as well as landlords to lease to them distilleries and taverns.²⁰ At the same time, he gave orders to expel Jews from villages into the towns. According to a contemporary Jewish account, thousands of Jewish families were forcibly evicted at this time.²¹ The hardship from these twin blows must have been extreme.

As long as Jews were to be subject to magistrates and *ratushi*, it was essential for them to have their representatives sit on both these institutions. For unless Jewish judges officiated in the new courts there was no way of ensuring that litigations between Jews, based on Talmudic law, could be equitably adjudicated. In tax matters, too, where the new legislation left much to the conscience of the merchant, a friendly magistrate was important. Jews were very eager, therefore, to participate in the municipal elections scheduled for 1783-85. But they immediately ran into the hostility of the Christian (largely Catholic) urban population for whom the sight of a Jew voting was no less repugnant than that of a Negro voter was to become to the post-Civil War American South. Under the pressure of his Polish subjects, Passek requested St. Petersburg to clarify whether Jews elected to municipal posts (and thus, *ipso facto*, members of the Imperial Civil Service) could assume their posts. Again the response was firm: yes, Jewish merchants (and, by implication, townsmen), elected to municipal offices "could not be prevented from assuming the actual obligations entrusted to them".²²

Jews were thus allowed to vote, but a variety of devices was employed to ensure that their influence on the results would be minimal. In most places Jews were forced to vote in electoral chambers in accord with arbitrarily set quotas; elsewhere they were altogether intimidated to stay home. The effectiveness of this chicanery can be seen from the results of the elections. In 1783, Jews constituted the majority (58.6 per cent) of the urban communities of Belorussia: in the towns of Mogilev province there lived 7,447 Christian and 15,419 (67%) Jewish members of urban communities; in those of Polotsk province, 8,740 and 7,422 (47%), respectively. In Mogilev, Jews were in a majority in all 12 towns; in Polotsk, in 7 out of 11.²³ Had the elections been conducted honestly, Jews might have been expected to win 19 out of 23 mayoralties. In fact, they won only 8 (7 in Mogilev and 1 in Polotsk).²⁴ Here and there Jews also gained minor elective offices.

Viewed abstractly, these results were most disappointing. But looked upon from the perspective of time they represented a major event in Jewish history. According to Salo Baron, at this time Jews were admitted to municipal elections only in one other European country, namely Tuscany.²⁵ To have allowed Jews to participate in elections, even if on terms of somewhat formal equality with Christians, and actually to gain over one-third of the mayoral posts in two provinces, was an event without precedent in European, let alone East European, history. It certainly deserves greater attention in the accounts of Russian Jewry than it generally receives.

The experience of the Belorussian Jews with municipal elections underscored the dilemma which emancipation was in time to bring Jews everywhere. As a pariah nation, confined within their self-governing communities, they had been far less dependent on the fairness of the general administration than they were to become with the attainment of formal equality: in other words, no equality was in many ways preferable to sham equality. The crucial issue was justice. In the *kahal* courts, now abolished, disputes had been settled in accord with Talmudic law. Under the urban reforms, merchants and townsmen came under the jurisdiction of magistrates whose Christian judges knew nothing of Talmudic law and could not even communicate with the Yiddish-speaking litigants. A further complication arose from the fact that Jews could not swear the Christian oath required in city courts. As a Jewish complaint submitted in 1786 stated in this connection:

... if, in the current elections, based on the Imperial Charter of the Cities, members of Jewish communities will fail to be elected

to judgeships as well as to membership in urban magistrates (*ratushi*) and city councils (*dumy*) in equal proportion to Christians there will be no one in the magistrates to judge Jews in disputes subject to a Jewish trial. Because at the conclusion of Article 127 of the City Charter . . . it is stated that all matters coming before the urban magistrate are to be adjudicated in Russian for Russians, and for foreigners in their language. And if no Jews will be elected to city councils, then from decisions of Christians affecting city needs the Jewish community can be brought to great ruin insofar as the condition of Jews can be known to no one but ourselves.²⁶

* * *

The events of 1782-83 — expulsions from the countryside, prohibitions on the alcohol trade, the loss of *kahal* autonomy, especially in matters of justice, and the tampering with electoral procedures — induced the leaders of the Jewish communities of Belorussia toward the end of 1784 to petition Catherine for a redress of grievances. Their principal points may be summarized as follows:

1. the laws prohibiting the Empire's merchants and townsmen from dealing in spirits deprived Jews of a traditional means of making a living and should be suspended as far as they were concerned, at any rate, temporarily;
2. the landlords of Belorussia suffered grievous losses from ordinances prohibiting them to lease distilleries and taverns to Jews, for which reason these ordinances should be suspended as well;
3. Jews should be allowed to deal in spirits and to reside unmolested in the villages;
4. the local administrators of Belorussia should be made to observe imperial decrees directing them to ensure that Jews enjoyed equal electoral rights with Christians;
5. Jews should be allowed to settle disputes among themselves in their *kahal* courts, and, in general, the powers of the *kahals* ought to be restored;
6. Jews residing in Riga should be permitted to enrol in the ranks of that city's merchants and townsmen.²⁷

In March 1785, Catherine turned this petition over to the Senate, which the following month requested from Governor General Passek his reactions. Passek responded that in forbidding Jews to handle alcoholic beverages or to reside in the countryside he was merely enforcing imperial legislation of 1782-83 bearing on the middle estate. He did not deny discrimination against Jews in municipal elections but felt it unnecessary to apologize, apparently considering it self-evident that Jews ought not be allowed to capture the majority of the urban posts, as they certainly would have done had no discrimination been practised. Finally, he stated that he saw no need for separate courts for Jews now that they were subject, like everyone else, to magistrates.²⁸

Fortunately for the Belorussian Jews the Senate was better disposed toward them. On the basis of the evidence which it had gathered, it issued on May 7 1786 an edict under the title "Concerning the Protection of the Rights of Jews in Russia in Respect to their Legal Responsibility, Trade, and Industry" (PSZ, No. 16,391).²⁹ This ordinance was on the face of it, at any rate, of such importance that some historians refer to it as the "Charter [*Polozhenie*] of 1786", juxtaposing it with the charters of the nobility and the cities issued the preceding year.

Underlying the 1786 decree was the fundamental principle that Jews had become fully-fledged subjects of the Russian crown:

Inasmuch as on the basis of the instructions of Her Majesty people of the Jewish faith have already been accorded a status equal to that of others, it follows that in all instances the rule is to be observed that all Jews must be able to enjoy the privileges and rights appropriate to their calling and fortune, without distinction of origin and religion.

To emphasize the earnestness with which this principle was viewed, the decree forbade any reference to Polish laws which had discriminated against Jews.

The specific Jewish requests were disposed of on their merits. The Senate refused to make an exception for Jews and allow them to deal freely in alcoholic beverages in the cities: this right was to remain a monopoly of magistrates from which they had to lease it. It granted the Jews, however, the much more important request that they be permitted to continue leasing distilleries and taverns in the countryside: a concession motivated at least as much by concern for the wellbeing of the Polish landlords as for that of the Jews. This concession meant that the Senate had to make a further exception and authorize Jewish merchants and townsmen to reside in the villages; though intended to be "temporary", this permission became in effect permanent. Further expulsions were stopped. The Senate reconfirmed that Jews were not to be discriminated against in municipal elections, on which grounds it rejected as redundant their request for separate courts. But it did restore to the *kahals* some of their previous competence, empowering them to settle purely religious disputes, issue passports, run schools, and apportion taxes which Jews owed to the magistrate as well as tax Jews for expenses of a religious nature. Jews were given leave to swear Hebrew oaths in court. The petition to have them admitted into the urban community in Riga was turned down: the Senate felt it could not act on the matter because:

there was no special instruction of Her Majesty's concerning free Jewish enrolment in the ranks of merchants and townsmen of cities other than those in the Belorussian provinces.

The decree of May 7 1786 constitutes a landmark in the history of modern Jewry. It first formally enunciated the principle that Jews were entitled to all the rights of their estate, and that discrimination against them on the grounds of religion or origin was illegal.³⁰ The decree anticipated by more than five years the celebrated declaration of the French National Assembly extending to Jews civil equality. Now, of course, in eighteenth century Russia, when the estate structure was still strictly maintained, equality did not mean the rights of modern "citizenship", for such did not exist. It did mean, however, that Jews had estate equality with Christian merchants and townsmen, which was the only kind of equality then known. Indeed, the decree of May 7 went beyond establishing mere equality with Christians, for it also gave Jews two privileges not accorded to Christians of the *tiers état*: the right to reside in the countryside and there to deal in spirits. Powers were also vested in the *kahals* (such as the right of self-taxation) which Christian merchants and townsmen could not boast for their communal organizations. The principal limitation imposed on Jews lay in the refusal of membership in the community of Riga. This decision, which at the time appeared to involve a minor and easily rectifiable issue, in the long run assumed paramount importance in the life of Russian Jewry and quite vitiated the other, very generous concessions.

The 1786 decree was so far ahead of its time and was to meet with such opposition from the Christian population of Belorussia that it was never enforced. Golitsyn maintains that subsequent Russian legislation

ignored it and it never really went into effect.³¹ Catherine might have had occasion once again to reflect that good intentions, even when accompanied by the authority to make them good, were not enough.

* * *

We have now reached a stage in the narrative which most scholars regard as a turning point in the history of Russian Jewry. On December 23 1791, a decree of the Imperial government (PSZ, No. 17,006) rejected as without merit the protest of Jewish traders, submitted in September 1790, that they had been improperly denied the right to enrol in the urban communities of Smolensk and Moscow.³² Historians view this ruling as a sudden reversal of previous practices and the beginning of the Pale of Settlement. Dubnow speaks of it as an "innovation which for the first time deprived the Jews of Russia of the freedom of movement".³³ Gessen takes a similar view: referring to this decree, he says that "unexpectedly there emerged the so-called Pale of Permanent Jewish Settlement".³⁴ The same opinion is expressed by some leading non-Jewish historians. The importance generally attached to this law is puzzling, considering that the scholars in question were familiar with the antecedents of the legislation bearing on Russian Jewry.

To begin with, it must be borne in mind that in the period with which we are concerned no social group in Russia except for the nobles (*dvoryanstvo*) enjoyed the right of "free movement", and even they had secured this right a mere six years earlier, in the Charter of the Nobility. All the taxable groups of the Empire, including the urban estate in whose ranks Russian Jews were enrolled, were attached to communal organizations. Christian merchants could not move from one town to another at will, either: such movement was hedged by very elaborate bureaucratic procedures.³⁵ And speaking more broadly, no estate in eighteenth century Russia (the post-1785 nobility again excepted) possessed any generalized freedoms or rights: these are notions derived from a feudal tradition of which Russia knew nothing. In Russia, freedoms and rights, such as there were, came by royal favour and were attached to duties borne on behalf of the state: they were invariably granted to specific individuals and for limited periods of time (never in hereditary possession). In the patrimonial regime of Russia, which was still entrenched in the eighteenth century, nothing was permitted that was not permitted explicitly; or, to put it in other words, whatever was not specifically allowed was deemed forbidden. Hence, the Crown had no need legally to limit the "right" of persons or groups, such as the Jews, to do anything, such as move freely throughout the Empire.

Between 1772 and 1786, Russian Jews did receive from the Crown a number of discrete rights: they were allowed to practise their religion, to own property, to reside and deal in spirits in the villages, to enjoy communal self-government, and to enter urban communities on equal terms with Christians. These rights they were given in the provinces of Mogilev and Polotsk, as well as (though this matter was left legally vague) the territories of Wallachia and New Russia. Up to this point, however, they had not been given authority to establish permanent residence outside these four regions: hence, in terms of Russian legal custom, they were forbidden to do so. As we have seen, in 1786, when pro-Jewish sentiment in the Imperial government stood at its height, Jews were denied permission to enrol in the merchant corporations of Riga on the grounds that no "special instruction" had been issued by the Empress permitting such activity outside the two Belorussian

provinces. In December 1789, in response to a Jewish petition to be given access to the Smolensk urban community, the Senate turned them down once again.³⁶ In view of these facts it seems inappropriate to see in the 1791 edict an innovation. Indeed, the contrary is true: for the Jewish protest of September 1790 to have been acted on favourably, it would have required a deliberate decision to depart from precedent.

The question now arises why Catherine failed in the more favourable environment of the 1780s to take the step which she had almost taken in 1762, namely, to grant Jews access to the interior of Russia. To answer this question, one must say something about the situation of the Russian middle class. It is difficult to conceive of a middle class confronting more unfavourable conditions than those under which the Russian one had to labour throughout its history. In Muscovite and early Imperial Russia it had to contend with regalia and monopolies which removed from free commerce virtually everything on which a profit was to be made. In the 1760s and 1770s, owing to Catherine's predilection for *laissez faire*, most of these restrictions were abolished. But concurrently, trade and manufacture, supposedly a privilege of the middle estate, were thrown open to the entire population. The merchants could not compete effectively with landlord entrepreneurs who paid no taxes and enjoyed exclusive access to serf labour; nor with serfs and state peasants, many of them protected by landlords, who began at this time to engage in widespread commercial and manufacturing activities.³⁷ At the Legislative Commission of 1767-68, merchants bitterly complained of their hard life.

Now if the Jewish population had had a normal social structure — that is, if there were among them landlords and peasants as well as merchants and artisans — their mass influx into Russia would not have caused much turmoil. Like Germans, they could have been used to colonize the frontier, and to perform a variety of other functions on behalf of the state. But as all the Jews were in law (and nearly all, in fact) traders and artisans, under the estate legislation then in force, on entering Russia they would have had to settle in the cities, a move which immediately would have pitted them against the native middle class — impoverished, illiterate, and pre-capitalist in its mentality. This competition would have proven exceedingly difficult for Russians to meet. In Muscovite Russia, merchants had complained so insistently against foreign competition that toward the end of the seventeenth century Western businessmen were for all practical purposes excluded from that country, except as transients. To have allowed Jews in the 1780s free entry into Russia, would have meant exposing the Russian merchant class once again to fierce foreign rivalry with which they were incompetent to cope. It would have resulted in further impoverishment of an already poor estate, and caused great disaffection in the cities.

There was no shortage of evidence to this effect. In the 1780s many Jews travelled on business to Moscow; three of them succeeded in inscribing themselves in the first guild of that city. These merchants dealt mostly in foreign goods, probably luxuries destined for the many rich nobles who had town houses there. Thanks to their superior business skills, Jews regularly undersold Russian merchants. The latter grumbled to the authorities. Hostility toward Jews came to a head over the activities of one Nota, the richest Jew in Moscow and the leader of the community there, who apparently absconded abroad without settling his debts. On February 15 1790, the Moscow merchant community lodged with the city's Governor General a formal complaint against alleged Jewish business malpractices. They said that the ability of Jews (*zhidy*) to charge less for imported goods proved that they

had smuggled them in without paying customs. Appealing to his patriotic sentiments, they reminded the Governor that Jews had never been allowed into inner Russia. They urged him to expel those who had managed to establish residence in Moscow, and to refuse entry permits in the future.³⁸

A few years earlier such an appeal might have gone unheeded. But the outbreak of the French Revolution had added to the Jewish issue, on top of the religious and economic dimensions, also a political one. The Revolution had frightened Catherine out of her wits. She was convinced that if it were to triumph, civilization would collapse and Europe revert to the Dark Ages. She also believed that it was the result of a conspiracy, the tentacles of which spread throughout Europe. One of its principal instruments was the Free Masonic movement, which had attained great popularity in Russia during her reign: the Moscow lodges displayed especially keen activity, engaging in all sorts of educational, publishing, and philanthropic work. As the Revolution evolved from its moderate phase towards extremism, her fears intensified and so did her readiness to employ whatever means were required to keep what she regarded as the "French infection" away from her country's borders.

It is with this purpose in mind that on February 19 1790 she appointed to the post of Governor General of Moscow Prince Alexander Prozorovsky. The Prince was a professional soldier, a great believer in discipline, and a totally devoted servant of his Empress. He mistrusted all foreigners and things foreign, including the Free Masons.³⁹ Catherine felt a strong dislike for him, but she thought him ideally suited to extirpate seditious tendencies in the old capital city with its hordes of idle rich and thousands of merchants. Prozorovsky applied himself zealously to his task. He immediately forbade the importation of foreign literature into Moscow and established surveillance over the city's French colony. He also went after the Free Masons, whose lodges he ordered closed. Two years later, it was on his orders that the police arrested N. I. Novikov, a leading figure in the Russian Enlightenment and the country's foremost Mason.

Prozorovsky kept a watchful eye on the Moscow merchant community, whom he suspected, not without reason, of harbouring oppositional elements. It did not escape him that one of Novikov's most generous patrons, for example, was a rich Muscovite businessman. In a report which he submitted to Catherine in the first year in office, he emphasized the inroads the Free Masons allegedly had made among Moscow traders and darkly hinted at the existence of "merchant clubs".⁴⁰ Catherine, who was well aware of the role that the *tiers état* had played in the French Revolution was not disposed to treat these warnings lightly.

The protest of the Moscow merchant community against the presence of Jews was one of the first items of business that confronted Prozorovsky. It concerned him if for no other reason than disaffection among merchants had grave security implications. Furthermore, he probably was not too happy himself about the movement of Jews between Belorussia and Moscow. Jews were known to be active as smugglers: it was not unreasonable to assume that among the contraband they carried from Poland there might have been French political literature for which a ready market existed among Moscow's cosmopolitan aristocracy. In June 1790, Catherine forbade Belorussian Jews to import religious books from Poland, authorizing them instead to establish their own typography (PSZ, No. 16,877) — a move that was undoubtedly inspired by considerations of state security. Prozorovsky

went further and sometime between February and September 1790 ordered the handful of Jews established in Moscow to leave.⁴¹ Two years later, all foreign Jews were ordered to leave Russia.⁴²

The Jewish petition of September 1790 was apparently meant to test Prozorovsky's order expelling Jews from Moscow. But times had changed and in 1791 there was no inclination in St. Petersburg to meet them half way. Free entry of Jews into inner Russia could only spell trouble, especially in Moscow, the empire's business centre, into which the majority of the incoming Jews would certainly have moved. It would have caused disaffection among the merchants and it also might have made it extremely difficult to prevent the spread of subversive literature. After 1789, such political considerations heavily outweighed calculations of an economic nature which had been uppermost in the government's mind the preceding quarter century.

The petition of Jews against their exclusion from the urban communities of Smolensk and Moscow was discussed in October 1790 in the State Council. Existing legislation was consulted. It proved that the complaint was unfounded: the laws on the statute books did not give Jews authority to join urban communities outside the two Belorussian provinces. On further deliberation, the Council decided that changing the existing laws by enlarging the area where Jews could become merchants and townsmen would not be "useful". The Council, however, did see benefits in legitimizing the presence of Jews in the Black Sea area, recommending that they be allowed to join urban communities on the territories of Ekaterinoslav and Taurida (Crimea), the latter of which had been recently conquered from the Turks.⁴³ For unknown reasons, Catherine waited a full year before acting on these recommendations. They were finally promulgated in the decree of December 23 1791.

* * *

The Second and Third Partition of Poland, in 1793 and 1795, respectively, vastly expanded Russian possessions in the West. An estimated 5.7 million new subjects came under Catherine's rule. The number of Jews in these areas is difficult to assess, but 500,000 is probably a fair estimate.⁴⁴ Thus, at the time of Catherine's death in 1796, the Empire had a Jewish population of approximately 600,000 or c. 1.5 per cent of the whole.

By this time, the basic principles governing the administration of territories taken from Poland and its Jewish inhabitants had been sufficiently well worked out that no new rulings were required. Catherine's instructions concerning the territories acquired in the second and third partitions (PSZ, Nos. 17,264 and 17,418) made no special provisions for Jews: they merely restated the principle first enunciated in the *Plakat* of 1772 that all new subjects would retain their rights and privileges.

On June 23 1794, an important edict was issued which historians, with justification, see as the first of what was to be a long stream of legislative acts discriminating against Russian Jews. The decree in question (PSZ, No. 17,224) consisted of two parts. Part one allowed Jews in certain provinces and areas (which were defined) to enrol in the ranks of merchants and townsmen. Part two ordered all Jews who did so to pay a tax twice the amount that due from Christians of the same estate, i.e., a two rather than one per cent income tax on capital from Jewish merchants, and a four rather than a two ruble soul tax from townsmen. According to the decree, Jews who did not wish to pay this double tax could, upon the prepayment of a three-year tax,

leave the confines of the Russian Empire.

The double tax instituted in 1794 is subject to differing interpretations. The merchant Nota (see above p. 15) believed that its main purpose was to encourage more Jews in the overcrowded towns and villages of what had been eastern Poland to move into New Russia and the Crimea (where, at the time, no taxes were collected). Gessen subscribes to this interpretation.⁴⁵ The other view holds that the law was mainly fiscal in intent. The Imperial government at the time happened to run a huge deficit, for which reason it increased considerably the tax load for all classes of the population: in 1794, the soul tax for all townsmen was doubled (which meant that for Jews it was in effect quadrupled). Requiring non-Orthodox inhabitants to pay a higher tax was not an unusual procedure in Imperial Russia: until 1782, Old Believers were regularly required to pay a double soul tax. Given the budgetary difficulties of the time and the emergency measures taken to raise revenue, it seems most plausible to ascribe the 1794 decree to fiscal considerations.⁴⁶

As concerns the implications of this measure, it was undeniably discriminatory and contrary to the oft-repeated injunctions of the government that Jews were to be treated exactly as were Christians of the same estate. However, before one ascribes the measure to antisemitism, one must remember that Jews were not only victims of discrimination but also its beneficiaries. We have noted that in 1779 the Jewish soul tax had been cut in half, and thereby set at a rate lower than that of Christians in the same area: this fact, generally ignored by historians, must be offset against the higher tax of 1794. In both cases, as was Russian practice, the issue was decided by the ability to pay. In 1779, the tax for Belorussian Jews had been reduced most likely because they had been found to be extremely poor; fifteen years later it was raised because the Jews acquired in the second and third partitions were deemed better off. That urban Jews were in fact relatively richer than urban Christians can be judged by statistics showing what percentage of Jews qualified as merchants, *i.e.*, disposed of capital in excess of 500 rubles. In the provinces taken from Poland in the second partition (Podole, Volhynia, and Minsk), Jews constituted only around 10 per cent of the population, but accounted for 54 per cent of the merchant estate.⁴⁷

The real importance of the 1794 edict lay not so much in the double tax — repealed in 1817 — but in those passages which for the first time formally defined the territories open to Jewish settlement. These included the two Belorussian provinces, the territories in the Black Sea region opened to them officially in 1791 (Ekaterinoslav and Taurida) and the three provinces taken from Poland in the Second Partition (Minsk, Izyaslav, and Bratslav, the latter two renamed Volhynia and Podole). In addition, three Ukrainian provinces previously closed to Jews were now opened to them: Kiev, Chernigov, and Novgorod-Seversky. Thus, it was the 1794 rather than the 1791 edict which proscribed a pale of Jewish settlement, and this it accomplished not by restricting the area where Jews could reside but by enlarging it. In 1795, after the Third Partition, the two Lithuanian provinces Vilno and Slonim were added to this region.

* * *

Our conclusions may be summarised as follows:

1. Interpreted against the background of Russian laws and institutions, the evidence indicates that in the reign of Catherine II a genuine effort

was made by the central government to treat Jews as a religious minority eligible to enjoy legal equality and all such rights as were accorded Christians of the same status; this effort was ahead of anything done on behalf of Jews in Western Europe at the time;

2. It failed largely because of the resistance of groups of the population most affected by it, namely the Polish inhabitants of the Western provinces, who sabotaged the attempt to integrate Jews into urban self-government, and the merchants of Moscow who prevented Jews from joining urban communities in inner Russia. The local Russian administrators tended to side with these elements, and the central authorities were too weak to impose their will; after the outbreak of the French Revolution, security considerations discouraged St. Petersburg from pushing Jewish equality any further;

3. Although the basic rules bearing on Russian Jewry — notably, the inscription of all Jews in urban ranks, and the limitation of the area open to Jewish settlement — were indeed laid down in Catherine's reign, they were not intended as disabilities; the few measures favouring Jewish converts or Karaites were more than offset by privileges granted to Jews, such as the right, unavailable to Christians of the middle estate, to reside in villages. The responsibility for twisting these rules into disabilities lies mainly on imperial governments of the nineteenth century.

- 1 Simon Dubnow, *Weltgeschichte des jüdischen Volkes*, Vols. VII-X (Berlin, 1928-29); *History of the Jews of Russia and Poland*, 3 vols. (Philadelphia, 1916-20).
- 2 Louis Greenberg, *The Jews in Russia*, Vol. I (New Haven, Conn., 1944).
- 3 S. W. Baron, *The Russian Jew under Tsars and Soviets* (New York-London, 1964).
- 4 Yuly Gessen, *Evrei v Rossii* (The Jews in Russia) (St. Petersburg, 1906) and *Istoriya evreyskogo naroda v Rossii* (History of the Jewish People in Russia), Vol. I, 2nd ed. (Leningrad, 1925).
- 5 For example, N.N. Golitsyn, *Istoriya russkogo zakonodatelstva o evreiyakh* (The History of Russian Legislation Concerning the Jews) (St. Petersburg, 1886) and M. F. Shugurov, "Istoriya evreev v Rossii" (History of the Jews in Russia), *Russky arkhiv*, No. 2 (1894), pp. 129-81.
- 6 V. A. Bilbasov, *Istoriya Ekateriny Vtoroy* (A History of Catherine the Second), Vol. I (Berlin, 1900), pp. 459-62.
- 7 Dubnow, *Weltgeschichte*, Vol. VII, pp. 254-55; both petitions date from 1764.
- 8 A. N. Pypin, ed., *Sochineniya Imperatritsy Ekateriny II* (The Works of Empress Catherine II), Vol. XII: *Autobiograficheskiye zapiski* (Autobiographical Notes) (St. Petersburg, 1907), p. 570. Cf. *Russky arkhiv*, No. 3 (1880), p. 3. According to Golitsyn (*Istoriya*, pp. 303-04), there is no record of this session in the protocols of the Senate.
- 9 Golitsyn, *Istoriya*, p. 311.
- 10 Yu. Gessen, "Stremlenie Ekateriny II vodvorit' evreev v Rossii (1764 g.)" (The Attempt of Catherine II to Introduce Jews into Russia), *Evreiskaya starina* (Jewish Antiquity), No. III/IV (1915), pp. 338-46.
- 11 I. E. Yoffe, "Iz zhizni pervoy evreiskoy obshchiny v Rige" (From the life of the first Jewish community in Riga), *Perezhitoe*, No. II (1910), p. 190.
- 12 *Sbornik Imperatorskogo Russkogo Istoricheskogo Obshchestva* (Papers of the Imperial Russian Historical Society), Vol. LI (1886), p. 440.
- 13 *Russky arkhiv*, No. 3 (1880), p. 3.
- 14 *Istoriya*, p. 47.
- 15 *Weltgeschichte*, Vol. VII, p. 256.
- 16 On Chernyshev, see *Russky biograficheskii slovar'* (Russian Biographical Dictionary), Volume "Chadaev-Shvirkov" (St. Petersburg, 1905), pp. 313-18.
- 17 Later on, the Jewish tax, for unknown reasons, was cut in half: an edict, dated July 3 1779 (PSZ, No. 14,892) set the Jewish soul tax at 50 kopecks. Christian urban inhabitants in the area were required to pay 60 kopecks, which was also half of what they would have been required to pay in inner Russia. It may have been an acknowledgement of the prevailing poverty in this area.
- 18 Gessen, *Istoriya*, p. 57.
- 19 *Ibid.*, pp. 62-63.
- 20 Gessen, *Evrei*, p. 458.
- 21 Solomon Bennet, cited in Dubnow, *Weltgeschichte*, Vol. VII, p. 260.
- 22 Gessen, *Istoriya*, p. 58.
- 23 Based on table, *ibid.*, p. 61.
- 24 *Ibid.*, pp. 59-60.
- 25 Baron, *The Russian Jew*, p. 18. He refers to the ordinances of 1778 which permitted the Jews of Tuscany to join the newly instituted municipal councils; Cecil Roth, *The History of the Jews of Italy* (Philadelphia, 1946), p. 425.
- 26 Golitsyn, *Istoriya*, p. 348. The statement about the refusal of St. Petersburg to allow Jews separate courts refers to the edict of May 7 1786, discussed below.
- 27 The text of the petition is in Gessen, *Evrei*, pp. 456-58. The request to be allowed into Riga is not in this petition, but its existence can be inferred from the answer of the government, summarized below.
- 28 Gessen, *Evrei*, pp. 458-61.
- 29 There seems to be some confusion about the dating of this edict: in the Full Collection of Laws it is dated May 7, but elsewhere January 21: cf. Golitsyn, *Istoriya*, p. 347, and Gessen, *Evrei*, p. 456.
- 30 In June 1786, the Jews of Vitebsk complained to the Empress once again that they were being discriminated against in municipal elections. Catherine addressed on July 16 1786 an angry note to Passek demanding that her orders concerning full equality for Jews be "enforced unflinchingly and without delay" and that legal proceedings be initiated against any violators: Golitsyn, *Istoriya*, p. 357.
- 31 *Istoriya*, pp. 337-38.
- 32 *Arkhiv Gosudarstvennogo Soveta* (Archives of the State Council), Vol. I (St. Petersburg, 1869), pp. 365-66.
- 33 *Weltgeschichte*, Vol. VIII, p. 347.
- 34 *Istoriya*, p. 77.
- 35 P. G. Ryndzyunsky, *Gorodskoe grazhdanstvo doreformennoy Rossii* (Urban Citizenship in Pre-Reform Russia) (Moscow, 1958), pp. 46-47.

- 36 Shugurov, "Istoriya", pp. 163, 164; this decree is not in the Full Collection of Laws.
 37 On this subject, see my *Russia under the Old Regime* (London, 1974), pp. 191-220.
 38 Shugurov, "Istoriya", pp. 163-67.
 39 *Russky biografichesky slovar'*, Vol. "Pritvits-Reis" (St. Petersburg, 1910), pp. 4-11, and M. N. Longinov, *Novikov i moskovskie martinisty* (Moscow, 1867), pp. 300-01.
 40 P. Pkarsky, *Depolneniya k istorii masonstva v Rossii v XVIII st.* (Supplements to the History of Freemasonry in Russia in the 18th Century), in *Sbornik Otdela Russkogo Yazyka i Slovesnosti pri Imperatorskoy Akademii Nauk* (Papers of the Department of Russian Language and Literature of the Imperial Academy of Sciences), Vol. VII, No. 4 (St. Petersburg, 1869), pp. 128, 130.
 41 Shugurov, "Istoriya", pp. 163-164.
 42 Golitsyn, *Istoriya*, p. 360.
 43 *Arkhiv Gosudarstvennogo Soveta*, Vol. I, pp. 365-68.
 44 This figure is arrived at by assuming that the proportion of Jews to Christians in the territories taken in the Second and Third Partitions was the same as in Belorussia, namely 1 to 10. Censuses of 1797-1800 showed the number of Jewish tax-payers as 150,000, which, if our estimate is correct, would indicate 4 persons per household: cf. Gessen, *Istoriya*, pp. 84-85.
 45 Gessen, *Istoriya*, p. 86.
 46 In June 1795, the Karaite Jews of the Crimea petitioned to be exempted from the double tax; the request was granted: PSZ, No. 17,340.
 47 Based on statistical information provided in Gessen, *Istoriya*, pp. 84-85.

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